

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

FILED BY *[Signature]* D.C.
05 OCT -6 PM 4:17

DEMUS RICH, and wife, MELBA
RICH, individually and as Executors
of the Estate of GARY BRIAN
RICH, deceased,

Plaintiffs,

vs.

No. 01-02-1222-T
Todd
Jury Trial Demanded

THE CITY OF SAVANNAH,
TENNESSEE, CHIEF OF POLICE
DONALD DERR, and Police Officers
TIM KELLEY, LARRY PHELPS,
TERRY W. HOSEA, ALLEN SNELLING,
VICTOR W. CHERRY, T.J. BARKER
and JOHN SYLVESTER, in their
Individual and Official Capacities,

Defendants.

FILED BY *[Signature]* D.C.
05 OCT 11 AM 8:50
THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W.D. OF TN, JACKSON

JOINT MOTION OF THE PARTIES FOR CONTINUANCE

The Plaintiffs and the Defendants, by and through their respective counsel, respectfully move this Court for a continuance of this case from its present setting on December 12, 2005.

The basis for this joint motion for a continuance is that Robert H. Watson, Jr., attorney for the individual officers, and Fred Collins, attorney for the City of Savannah, Tennessee, have unavoidable conflicts immediately prior to and during the weeks of December 12, 2005 and December 19, 2005. Andrew C. Clarke, attorney for the Plaintiffs, has scheduled an out-of-town Christmas vacation beginning on December 22, 2005.

MOTION GRANTED
DATE: 7 October 2005

[Signature]
James D. Todd
U.S. District Judge

For the reasons set forth in the memorandum which is being filed contemporaneously with the filing of this joint motion, the parties, by and through their respective counsel, respectively move the Court that this case be continued.

Respectfully submitted,

BAILEY, CLARKE & BENEFIELD

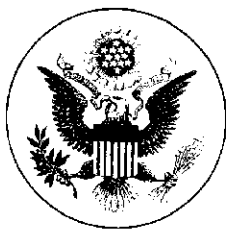
By: Andrew C. Clarke (JC by permission)
ANDREW C. CLARKE (#015409)
Attorney for Plaintiffs
6256 Poplar Ave.
Memphis, TN 38119
(901) 680-9777

FLIPPIN, COLLINS & HILL, PLLC

By: Fred Collins
FRED COLLINS (#007513)
Attorney for Defendant, City of
Savannah, Tennessee
P. O. Box 679
Milan, TN 38358-0679
(731) 686-8355

WATSON, ROACH, BATSON,
ROWELL & LAUDERBACK, PLC

By: Robert H. Watson, JR. (JC by permission)
ROBERT H. WATSON, JR. (#001702)
Attorney for Defendants who have
been sued in their Individual Capacities
First Tennessee Plaza, Ste. 1700
PO Box 131
Knoxville, TN 37901-0131
(865) 637-1700



Notice of Distribution

This notice confirms a copy of the document docketed as number 185 in case 1:02-CV-01222 was distributed by fax, mail, or direct printing on October 12, 2005 to the parties listed.

Andrew C. Clarke
BAILEY & CLARKE
6256 Poplar Avenue
Memphis, TN 38119

John C. Duffy
LAW OFFICE OF JOHN C. DUFFY
5410 Homberg Dr., Ste. 5
P.O. Box 11007
Knoxville, TN 37939

Robert H. Watson
WATSON & HOLLOW, P.L.C.
1500 Riverway Tower
900 South Gay Street
Knoxville, TN 37901--013

Milton Dale Conder
RAINEY KIZER REVIERE & BELL
105 S. Highland Ave.
P.O. Box 1147
Jackson, TN 38302--114

James A. Hopper
HOPPER & PLUNK
P.O. Box 220
Savannah, TN 38372

Michael R. Hill
FLIPPIN COLLINS & HILL, PLLC
P.O. Box 679
Milan, TN 38358

Fred Collins
FLIPPIN COLLINS & HILL, PLLC
P.O. Box 679
Milan, TN 38358

Honorable James Todd
US DISTRICT COURT